



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

MONDAY, NOVEMBER 27, 2000

5:00 P.M. **HEARING** to consider the Fresno 2000 General Plan (as an Update to the 1984 City of Fresno General Plan) and Draft Environmental Impact Report No. 10123 (as initiated by Council on January 11, 2000); four plan modifications; adoption of concomitant land use and circulation map amendments to the City's existing Bullard, Woodward Park, Hoover, McLane, Roosevelt, Central Area, Fresno High-Roeding, and Edison Community Plans, and to the Fresno Yosemite International Airport and Environs Specific Plan, Master Parks Plan, and the Master Trails Manual; and the West Area Community Plan.

Action taken:

- a. **RESOLUTION** - Certifying Environmental Impact Report No. 10123, as related to the Fresno 2000 General Plan, approval of four plan modifications, approval of concomitant land use and circulation map amendments to the City's existing Bullard, Woodward Park, Hoover, McLane, Roosevelt, Central Area, Fresno High-Roeding, and Edison Community Plans, and to the Fresno Yosemite International Airport and Environs Specific Plan, Master Parks Plan, and the Master Trails Manual; and adoption of a West Area Community Plan.

Action Taken:

1. Finding and Statement - certain measures are required or incorporated into the Project avoiding or substantially lessening significant effects.

Action Taken:

2. Finding and Statement - City lacks authority to make certain changes lessening or avoiding significant effect, but another agency has and should exercise authority to adopt such changes.

Action Taken:

TIME SCHEDULED HEARING CONTINUED

5:00 P.M.

HEARING to consider the Fresno 2000 General Plan:

3. Finding and Statement - changes to lessen or avoid certain significant effects below a level less than significant are infeasible for economic, social, legal, technological or other considerations.

Action Taken:

4. Findings on Project Alternatives.

Action Taken:

5. Statement of overriding considerations-- specific economic, social and other considerations outweigh unavoidable adverse environmental impacts or risks, and support Project approval.

Action Taken:

6. Mitigation Monitoring Program

Action Taken:

- b. **RESOLUTION** - Consider Fresno 2000 General Plan and plan modifications, and Corresponding Amendments to the Land Use and Circulation Maps of the Edison, Roosevelt, Central Area, Fresno High/Roeding, McLane, Bullard, Hoover, and Woodward Park Community Plans, the Fresno Yosemite International Airport and Environs Specific Plan, the Master Parks Plan, and the Master Trails Manual,
- c. **RESOLUTION** - Adoption of the West Area Community Plan.
- d. **BILL** - Amending the Fresno-Yosemite International Airport and Environs Specific Plan, in connection with the adoption of the Fresno 2000 General Plan and Environmental Impact Report 10123.

ADJOURN

TUESDAY, NOVEMBER 28, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Pastor Rod Suess of the Butler Avenue Mennonite Brethren Church

Pledge of Allegiance to the Flag

Proclamation of "FRESNO'S SPANISH THEATER GROUP" - Councilmember Mathys

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of November 14, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M. Appearance by Tom Yow, Creations Manufacturing, Inc. to express appreciation to the Fresno Fire Department

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

9:50 A.M. Appearance by Gary Timan Vigen, Vigen Associates to present a concept to redevelop the northerly side of Santa Fe Avenue from Tulare to Mono with option of integrating the Amtrak Station
Action Taken:

10:00 A.M. **HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation No. 24 (Tract Nos. 4945 and 4951)

Action Taken:

a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

Action Taken:

b. **RESOLUTION** - Calling a special mailed-ballot election - Community Facilities District No. 2

Action Taken:

c. **RESOLUTION** - Declaring election results

Action Taken:

d. * **BILL** - Levying a special tax for the property tax year 2000-2001 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 24

Action Taken:

10:30 A.M. **HEARING** to consider Rezoning Application. No. R-00-0027 and environmental findings, filed by Sylvia Disney and Edward Lujano, for the development of a 7,500 square-foot tea room at 1125 "T" Street

Action Taken:

a. Consider Environmental Assessment/Categorical Exemption

Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone property from the C-P zone district to the C-5 zone district

Action Taken:

11:00 A.M. Council direction to staff regarding Browning Ferris Industries (BFI) solid waste service in Calwa - Councilmember Quintero

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

- A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6**
(Councilmember Quintero)
City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo
Employee Organization(s):
1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
 2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
 3. International Association of Firefighters, Local 753 Fire Management (IAFF)
 4. Amalgamated Transit Union, Local 127 (ATU) - Councilmember Perea
- Action Taken:**
- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**
1. **Case Name:** Solpac, Inc. dba Soltek Pacific v. City of Fresno, et al. Mauldin Dorfmeier Construction, Inc. (Real Party in Interest)
 2. **Case Name:** Nottoli CMC, v. City of Fresno, et al.
 3. **Case Name:**
 - a. Scout Island Investors v. City of Fresno, Superior Court Case No. 631292-0
 - b. Scout Island Investors & Jon Thomason v. City of Fresno, Alvin P. Solis, James Patterson & Jeffrey M. Reid, U.S. District Court Case No. CIV-F-00 5532 OWW SMS
- Action Taken:**
- C. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)**
1. **Case Name:** City of Fresno v. Michael A. Romano, Sr., Construction Inc. dba Romano Aviation
 2. **Case Name:** Case Name Unspecified - one potential case
 3. **Case Name:** City of Fresno v. Long Construction, Inc., Fresno Convention Investors, Inc., Bud Long, Inc., dba Fresno Convention Investors
- Action Taken:**

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. * **RESOLUTION - 66th** amendment to AAR No. 2000-183 appropriating \$75,100 of Weed and Seed Grant Funds and by transferring \$25,000 of the contingency to cover police services costs in continuing the Weed and Seed Program at Lane Elementary School (*Requires 5 affirmative votes*)
Action Taken:

1A.

GENERAL CONSENT CALENDAR CONTINUED

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

2. * **RESOLUTION** - 67th amendment to AAR No. 2000-183 appropriating \$126,900 of the Commission on Peace Officer Standards and Training (P.O.S.T.) funds allocated for the purchase of training simulators *(Requires 5 affirmative votes)*
Action Taken:
3. * **RESOLUTION** - 71st amendment to AAR No. 2000-183 appropriating \$336,000 of COPS More 2000 Program funding to pay for the salaries of ten (10) Community Service Officer positions *(Requires 5 affirmative votes)*
Action Taken:
 - a. * **RESOLUTION** - 8th amendment to PAR No. 2000-182 adding ten (10) permanent positions to undertake the COPS More 2000 Program
Action Taken:
4. * **RESOLUTION** - Amending the MFS Resolution No. 80-420 to include a day pass fare for service provided by Fresno Area Express
Action Taken:
5. Authorize disposal of surplus equipment
Action Taken:
6. **RESOLUTION** - Authorizing and directing the Director of the Parks, Recreation and Community Services Department to execute on behalf of the City the easement document granting an easement over certain City-owned property to the Riverpark Little League across Kaiser Park
Action Taken:
7. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located south of McKinley Avenue on the east side of Peach Avenue
Action Taken:
8. Approve amendment to requirements contract for beneficial reuse of biosolids
Action Taken:
9. Approve selection of Ross and Castillo as Administrator for Workers' Compensation Program
Action Taken:
10. * **RESOLUTION** - 68th amendment to AAR No. 2000-183 appropriating \$501,200 to fund the completion of the Convention Center New Exhibit Hall *(Requires 5 affirmative votes)*
Action Taken:
11. * **RESOLUTION** - 72nd amendment to AAR No. 2000-183 appropriating funds for the Grantland Bypass Grade Separation Nexus Fee Study and authorizing the execution of an Engineering Services Agreement with Omni-Means, Ltd. *(Requires 5 affirmative votes)*
Action Taken:

1A.

GENERAL CONSENT CALENDAR CONTINUED

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

12. * **RESOLUTION** - 73rd amendment to AAR No. 2000-183 appropriating \$93,000 for contract tree planting
(*Requires 5 affirmative votes*)

Action Taken:

13. Approve Contract Change Order No. 5 with Ford Construction, Inc. for the Fresno Yosemite International Airport Airside/Landside Construction Project

Action Taken:

14. * **RESOLUTION** - 64th amendment to AAR No. 2000-183 transferring contingency funds to be used to pay for various maintenance projects at the Municipal Service Center Yard (*Requires 5 affirmative votes*)

Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Repealing Section 10-1108 and amending Section 10-1109 and of the Fresno Municipal Code relating to parking of commercial vehicles

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Direct City Attorney to research/prepare report on requiring drug testing on City projects completed by private contractors - Councilmember Perea

Action Taken:

- B. Request report from Solid Waste Division on why the special Christmas tree pick up program has been canceled for single-family residential customers - Councilmember Quintero

Action Taken:

- C. Direct City Manager to return on December 5, 2000 Council meeting with the appropriate budget resolution appropriating the \$1.8 million received from the State of California for the relinquishment of Ventura/Kings Canyon Road from State Route 99 to Chestnut Avenue. The appropriation is to be directed for streets, street scape, paving and other improvements for Ventura/Kings Canyon Road from State Route 99 to Chestnut Avenue - Councilmember Quintero

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- D. Discussion and implementation of new policy relating to Council infrastructure budget - Acting President Bredefeld
Action Taken:
- E. * **BILL** - Amending Sections 9-407 and 9-408 of the Fresno Municipal Code regarding private solid waste collection - Councilmember Steitz
Action Taken:
- F. Discuss appointment of Council Budget Committee for FY 2000-2001 - Councilmember Perea
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Nov. 29 & 30 5:00 P.M.** General Plan Hearings (*if needed*)
- Dec. 5 - 10:00 A.M.** **HEARING** re: P. A. No. A-00-14, R-00-32, filed by Gary Walker on behalf of General Life
- Dec. 5 - 10:30 A.M.** Appearance by George and Michael Donovan re: approval of mixed-use office/retail property located on the southeast corner of Herndon and Palm Avenues
- Dec. 5 - 11:00 A.M.** **HEARING** to adopt Bill amending the FMC relating to parking of commercial vehicles
- Dec. 5 - 4:45 P.M.** Christmas Tree Lighting Ceremony
- Dec. 5 - 5:00 P.M.** **CONTINUED HEARING** on P.A. No. A-00-03, R-00-04, filed by George Beal, property located on N. Maple and E. Shepherd
- Dec. 4 - 8** General Plan Hearings (*if needed*)
- Dec. 12 - 5:00 P.M.** **HEARING** re: P.A. No. A-00-02, CUP #00-58, filed by Granum Partners
- Dec. 19 - 10:00 A.M.** **HEARING** re: Annexation No. 25, Community Facilities District No. 2
- Dec. 19 - 10:15 A.M.** **HEARING** re: P.A. No. 00-15, R-00-33, filed by Ralph E. Lovelace
- Dec. 19 - 10:30 A.M.** **HEARING** re: Appeal of Tentative Parcel Map No. 2000-16, filed by Dwayne Zinkin
- Dec. 19 - 5:00 P.M.** **HEARING** re: P.A. No. 99-25, R-99-38, filed by Bonadelle Corporation
- Dec. 19 - 5:30 P.M.** **HEARING** re: P.A. No. 00-12, R-00-31, filed by Granville Homes
- Dec. 26 - NO MEETING - CHRISTMAS WEEK**
- Jan. 2 - SWEARING-IN CEREMONY FOR THE NEW MAYOR AND COUNCILMEMBERS**
- Jan. 9 - 10:00 A.M.** **HEARING** re: CDF No. 2, Annexation No. 26, Tract No. 4918
- Jan. 16 - 10:00 A.M.** **HEARING** re: Rezone Appl. No. R-00-05, filed by Scott Ellis, Jr.
- Jan. 16 - 10:10 A.M.** **HEARING** re: Rezone Appl. No. R-00-41, filed by James T. O'Dea, 255 W. Bullard

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***